



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Set Public Hearing for 12-20-95 to Consider
Amendment of the Lodi Municipal Code Section
5.12.140 Regarding Cardrooms

DATE: December 6, 1995

PREPARED BY: Chief Larry D. Hansen

RECOMMENDED ACTION: Council is requested to set a Public Hearing
to consider the proposed change to Lodi City
Code Section 5.12.140 regarding Cardrooms, as
identified in Attachment A.

BACKGROUND INFORMATION: The current Lodi City Code Ordinance for
Cardrooms was written and adopted on
March 2, 1955. This ordinance restricted
Cardroom games to Low Ball, Draw Poker,
Pan, and Pinochle.

Since March 1, 1991, based on an opinion from the California Attorney
General, Dan Lungren, Texas Hold-em and similar games have been
allowed throughout California. Currently, most of all card games
being played the state wide are these newer versions of the old time
honored games. Including the surrounding cities of Stockton,
Sacramento, Tracy, Manteca, Oakdale, and Modesto.

This change has been initiated due to a request by Joe Melech, who
is proposing to open a Cardroom at the Del Monte Club, 115 N. Cherokee
Lane. I have reviewed his request, which has been incorporated into
the proposed changes outlined in Attachment A.

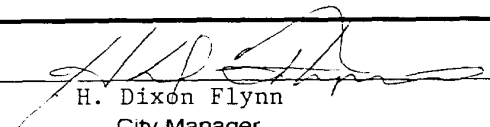
This Public Hearing is to give Council the opportunity to change this
Ordinance if so desired.

FUNDING: None


Larry D. Hansen
Chief of Police

cc: City Attorney

APPROVED: _____


H. Dixon Flynn
City Manager



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ATTACHMENT "A"

PROPOSED CHANGES TO CHAPTER 5.12

CARDROOMS

5.12.140 Rules and Regulations (changed to read)

(B) Any games not prohibited under State law shall be permitted in any card room.

(D) No more than ten (10) players shall be permitted at any one card table.

(omit or change to read)

(J) The cashing of bank checks for players shall be permitted in any card room.

5.12.070 Work (permit) - Required (changed to read)

(B) A temporary card room permit may be obtained from the Chief of Police or his/her designee in accordance with the following:

- (1) A completed "Card Room Dealer Work Permit Application" accompanied by the appropriate fees as established by resolution of the City Council;
- (2) Presentation of California Driver's License or Picture Identification card;
- (3) Completion by the Police Department of a local record check and a check of the State Wanted Person System; and
- (4) Fingerprints to be taken, submitted to and cleared by The Department of Justice.

Upon review of the application, in accordance with the card room work permit provisions set forth in this chapter, the temporary permit may be issued for a period of ninety (90) days. If the fingerprint clearance is not completed within that time, a thirty (30) day extension may be granted. If the card room work permit is granted in accordance with this section, the one year term shall be from the date of the issuance of the temporary permit.



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: December 20, 1995

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING


NOTICE IS HEREBY GIVEN that on **Wednesday, December 20, 1995** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) to consider amendment to Lodi Municipal Code §5.12.140 regarding Cardrooms

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

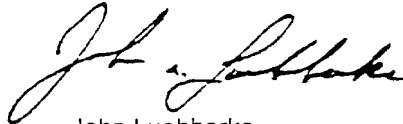
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, P.O. Box 3006, at or prior to the Public Hearing.

By Order of the Lodi City Council:


Jennifer M. Perrin
City Clerk

Dated: December 6, 1995

Approved as to form:


John Luebberke
Deputy City Attorney



DECLARATION OF MAILING

Public Hearing - Amendment of Cardroom Ordinance

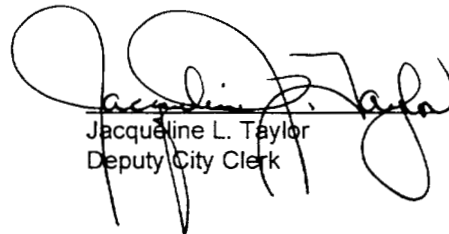
On December 7, 1995 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 7, 1995, at Lodi, California.

Jennifer M. Perrin
City Clerk

A handwritten signature in black ink, appearing to read "Jacqueline L. Taylor", is written over a horizontal line.

Jacqueline L. Taylor
Deputy City Clerk

Mr. Joe Melech
132 Albert Court
Tracy, CA 95376